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July 7, 2015

VIA ECF

The Honorable Sarah Netburn, U.S.D.J.
Southern District of New York
40 Foley Square, Room 430
New York, New York 10007

Re: *James, et al. v. Penguin Group (USA) Inc., et al.*, No. 1:13-cv-02801 (DLC)

Dear Judge Netburn:

I represent Plaintiffs in the above matter. I write to request the Court's permission for all parties to attend the August 11, 2015 settlement conference by telephone. Defendant does not object to this request.

As Your Honor may be aware, Plaintiffs' February 13, 2015 motion for class certification was denied and the two remaining Plaintiffs, Jodi Foster and Mary Simmons, reside in California and Colorado. The Defendant's client representative resides in Indiana. Requiring the Plaintiffs to attend the conference in person would increase Plaintiffs' costs and make settlement more difficult. To facilitate settlement discussions, counsel will ensure that their clients are available by telephone during the conference. In addition, counsel will have full authority to resolve the case.

Accordingly, we respectfully request that the Court permit all parties to attend the settlement conference by telephone.

Respectfully submitted,

s/
Oren Giskan

cc (Via ECF): all Counsel